

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

IN RE: Mark & Donna Contini

Chapter 13 # 05-12241

MOTION OF CHAPTER 13 TRUSTEE TO DISMISS

Now comes Doreen Solomon, Chapter 13 Trustee, and files this Motion to Dismiss the above-referenced case and for reasons states as follows:

- () 1. Pursuant to §1326 (a) (1) of the Bankruptcy Code, Debtor is required to tender the first plan payment to the Trustee no later than 30 days after the date of filing the Chapter 13 Plan. Debtor has failed to make the first plan payment by that date, and has not commenced making plan payments to the Trustee as of, and including today.
- (✓) 2. Debtor has failed to provide the following documents:
- () INSURANCE BINDER
 - (✓) EVIDENCE OF PROPERTY VALUE
 - (✓) EVIDENCE OF INCOME - all sources
 - () RECORDED HOMESTEAD
 - (✓) Amended schedule J to include expenses for son
 - (✓) Amended plan to devote all disposable income to plan
 - (✓) 2016(b) statement
 - () _____
- () 3. Debtor has failed to provide business debtor documents pursuant to MLBR Appendix 1; 13-2 (a) 7 a-e.

Notice is hereby given that any responses and/or objections to this motion are to be filed within twenty (20) days of the date hereof. If no timely objections/responses are filed, the Court may act upon this motion without further notice or hearing as provided by 11 U.S.C. §102 (1) (B).

WHEREFORE, the Trustee respectfully requests this Court to enter an Order dismissing this case.

Respectfully submitted,


Doreen B. Solomon BBO #562078
Standing Ch. 13 Trustee
P.O. Box 8250
Boston, MA 02114-0033
(617) 723-1313

CERTIFICATE OF SERVICE

I, Doreen Solomon, do hereby certify that I have served a copy of the foregoing delivered by hand to:

Debtor Mark & Donna Contini and

Debtor's Counsel Eugene Johnson at:

Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Room 255A, Boston Massachusetts 02222.

Date: 5/4/05


Doreen B. Solomon, Standing Ch.13 Trustee